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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/553,127	07/26/2006	Hyung Wook Chu	9988.235.00	1689
30827 7590 12/04/2008 MCKENNA LONG & ALDRIDGE LLP 1900 K STREET, NW WASHINGTON, DC 20006				
EXAMINER				
O'BRIEN, JEFFREY D				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/553,127

Applicant(s)

CHU ET AL.

Examiner

Jeffrey O'Brien

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 October 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date _____

DETAILED ACTION

Claim Objections

1. Claims 1 and 4 are objected to because of the following informalities:
2. Claim 1: "rear plate that form" should be replaced with "rear plate that forms".
3. Claim 4: "having a first" and "having a second" should be replaced with "has a first" and "has a second" respectively.
4. Appropriate correction is required.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-9, 11, 13-18, 20, and 22 are rejected under 35 U.S.C. 102(b) as being anticipated by WO2004/025013 herein referred to as '013.
7. For Claim 1, '013 teaches a carrying handle assembly (Fig. 5: 210, 220) of a drum type washing machine comprising: a coupling bracket (210, 220) including a first coupling portion (220) coupled to a top plate (50) that forms an upper surface of a machine body, and a second coupling portion (210) integrally extending downward from a lower end of the first coupling portion to be coupled to a rear plate (40) that forms a rear surface of the body; and a rear-side handle (212, 222) provided at the coupling bracket for convenient carrying of the body.

8. For Claim 2, '013 teaches the assembly as set forth in claim 1, wherein the rear-side handle (212, 222) is integrally formed with the coupling bracket (wherein 212 is integrally formed with the portion 210 of the coupling bracket and 222 is integrally formed with the portion 220 of the coupling bracket).

9. For Claim 3, '013 teaches the assembly as set forth in claim 1, wherein the rear-side handle (212, 222) is provided at a lower end of the coupling bracket (210, 220, wherein the portion 222 is at the lower end of portion 220).

10. For Claim 4, '013 teaches the assembly as set forth in claim 1 wherein the first coupling portion (221) has a first through-hole (221a) formed at a flat plane portion thereof; and the second coupling portion (211) has a second through-hole (211a, not labeled, Page 11, Line 22) formed at a flat plane portion thereof.

11. For Claim 5, '013 teaches the assembly as set forth in claim 1, further comprising positioners (223, 216) provided at a front surface of the coupling bracket to determine a coupling position of the coupling bracket.

12. For Claim 6, '013 teaches the assembly as set forth in claim 5, wherein the positioners include: one or more positioning protrusions (223) provided at the front surface of the coupling bracket corresponding to the rear surface of the top plate; and a gap insertion protrusion (222a) provided at the front surface of the coupling bracket at a position corresponding to a connecting region between the top plate and the rear plate.

13. For Claim 7, '013 teaches the assembly as set forth in claim 1, further comprising an extension (214) provided at the front surface of the coupling bracket to allow the coupling bracket to come into close contact with the rear plate.

14. For Claim 8, '013 teaches the assembly as set forth in claim 1, further comprising at least one strength-reinforcement element (215, 225) for the rear-side handle.

15. For Claim 9, '013 teaches the assembly as set forth in claim 8, wherein the strength-reinforcement element (215, 225) is a triangular rib connected at one side end to a rear surface of the coupling bracket and at a lower end to an upper surface of the rear-side handle.

16. For Claim 11, '013 teaches the assembly as set forth in claim 1, wherein the rear-side handle has a bent holding portion (212a) extending downward from a distal end thereof.

17. For Claim 13, '013 teaches a carrying handle assembly of a drum type washing machine comprising: a coupling bracket (Fig. 5: 210, 220) including a first coupling portion (221) coupled to a top plate (50), that forms an upper surface of a machine body, and having a first through-hole (221a) formed at a flat plane portion thereof, and a second coupling portion (211) integrally extending downward from a lower end of the first coupling portion to be coupled to a rear plate (40), that forms a rear surface of the body, and having a second through-hole (211a, not labeled, Page 11, Line 22) formed at a flat plane portion thereof; and a rear-side handle (212, 222) provided on the coupling bracket at a connecting region between the first and second coupling portions for convenient carrying of the body.

18. For Claim 14, '013 teaches the assembly as set forth in claim 13, further comprising positioners (223, 216) provided at a front surface of the coupling bracket to determine a coupling position of the coupling bracket.

19. For Claim 15, '013 teaches the assembly as set forth in claim 13, wherein the positioners include: one or more positioning hole (53, 52) formed at the top plate; one or more positioning protrusion (223) provided at a front surface of the first coupling portion to correspond to the positioning holes (53, 52); and a gap insertion protrusion (222a) provided at the front surface of the coupling bracket at a position corresponding to a connecting region between the top plate and the rear plate.

20. For Claim 16, '013 teaches the assembly as set forth in claim 13, further comprising an extension (214) provided at the second coupling portion of the coupling bracket to allow the second coupling portion to come into close contact with the rear plate.

21. For Claim 17, '013 teaches the assembly as set forth in claim 13, further comprising at least one strength-reinforcement element (215, 225) for the rear-side handle.

22. For Claim 18, '013 teaches the assembly as set forth in claim 17, wherein the strength-reinforcement element (215, 225) is a triangular rib connected at one side end to a rear surface of the coupling bracket and at a lower end to an upper surface of the rear-side handle.

23. For Claim 20, '013 teaches the assembly as set forth in claim 13, wherein the rear-side handle has a bent holding portion (212a) extending downward from a distal end thereof.

24. For Claim 22, '013 teaches a carrying handle assembly of a drum type washing machine comprising: a coupling bracket (210, 220) including a first coupling portion

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(221) coupled to a top plate (50), that forms an upper surface of a machine body, and having a first through-hole (221a) formed at a flat plane portion thereof, and a second coupling portion (211) integrally extending downward from a lower end of the first coupling portion to be coupled to a rear plate (40), that forms a rear surface of the body, and having a second through-hole (211a, not labeled, Page 11, Line 22) formed at a flat plane portion thereof; a rear-side handle (212, 222) provided at the coupling bracket for convenient carrying of the body; positioners (223, 216) including one or more positioning protrusions (223) provided at a front surface of the first coupling portion (221) and a gap insertion protrusion (222a) provided at a front surface of the coupling bracket at a position corresponding to a connecting region between the top plate and the rear plate, the positioners providing a coupling position of the coupling bracket; and at least one strength-reinforcement (215, 225) connected at one end to a rear surface of the coupling bracket and at the other end to an upper surface of the rear-side handle to reinforce a strength of the rear-side handle.

Claim Rejections - 35 USC § 103

25. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

26. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

27. Claims 10, 12, 19 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over WO2004/025013 herein referred to as '013 as applied to Claims 1, 11, 13 and 20 above, and further in view of VanHom et al. (US 5,736,726) herein referred to as '726.

28. For Claims 10, 12, 19 and 21, '013 teaches all the elements of the assembly except the handle having a plurality of finger contact recesses formed in the lower surface. '726 teaches the use of finger contact recesses (Fig. 1: 151) in order to be more easily gripped. It would have been obvious to one of ordinary skill in the art at the time the invention was made to apply the finger contact recesses of '726 to the assembly of '013 in order to allow for the assembly to be more easily gripped during assembly or transport of the washing machine.

Response to Arguments

29. Applicant's arguments filed 10/14/2008 have been fully considered but they are not persuasive.

30. In response to Applicant's arguments regarding Claims 1, 13 and 22 that '013 does not mention that the 212 and 222 are "suitable for carrying of the body", a recitation of the intended use of the claimed invention must result in a structural difference between the claimed invention and the prior art in order to patentably

distinguish the claimed invention from the prior art. If the prior art structure is capable of performing the intended use, then it meets the claim.

31. Regarding Claims 1, 13 and 22, Applicant further argues that '013 does not teach wherein 210 and 220 are integral, however it has been held that "integral" is not necessarily restricted to a one-piece article. *In re Kohno (CCPA) 157 USPQ 275*. As a result, due to the interconnection of members 210 and 220, they are considered to be "integral".

32. Further, Applicant argues that if member 210 and 220 were formed integrally, they would not longer be able to function as a hinge. This argument will be addressed as though Applicant intends to argue that the members, if formed as a single piece, would not longer be able to function as a hinge. These members would be capable of acting as a hinge if formed as a single piece due to the well known "living hinge", in which two members formed as a single piece (such as with plastic) are capable of moving with relation to one another due to a thinned region between the two pieces.

Conclusion

33. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

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extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey O'Brien whose telephone number is (571)270-3655. The examiner can normally be reached on Monday through Friday 8:00am-5:30pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Victor Batson can be reached on 571-272-6987. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Victor Batson/
Supervisory Patent Examiner, Art Unit 3677

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